

Chairperson Bobby Gutierrez
Vice-Chairperson Leo Gonzalez
Parliamentarian Kevin Krolczyk

Commissioners
John Bush
Cathy Conlee
Kyle Incardona
Prentiss Madison
Reuben Marin
Robert Swearingen



MINUTES

**BRYAN PLANNING AND ZONING COMMISSION
REGULAR MEETING
THURSDAY, JULY 21, 2016 – 6:00 P.M.
COUNCIL CHAMBERS, BRYAN MUNICIPAL BUILDING
300 SOUTH TEXAS AVENUE, BRYAN, TEXAS**

Disclaimer: The meeting minutes herein area a summarization of meeting procedures, not a verbatim transcription

1. CALL TO ORDER.

Chairperson Gutierrez called the meeting to order at 6:01pm.

Commissioners	Present	2016 Regular Meetings Held	2016 Regular Meetings Attended	Regular Meetings Held During Last 6 Months	Regular meetings Attend During Last 6 Months
John Bush	Y	12	12	11	11
Cathy Conlee	Y	12	11	11	10
Leo Gonzalez	Y	12	12	11	10
Bobby Gutierrez	Y	12	12	11	11
Kyle Incardona	N	12	10	11	9
Kevin Krolczyk	Y	12	10	11	9
Prentiss Madison	Y	12	11	11	11
Reuben Marin	Y	12	12	11	11
Robert Swearingen	Y	12	9	11	9

2. PLEDGE OF ALLEGIANCE TO THE U.S. FLAG.

Chairperson Gutierrez led the pledge.

3. HEAR CITIZENS.

No citizens came forward.

4. RECOGNITION OF AFFIDAVITS FILED IN RESPONSE TO STATE LAW ON DISCLOSURE OF LOCAL OFFICIAL'S CONFLICT OF INTEREST.

Mr. Leeper advised that Commissioners Gonzalez, Krolczyk, Conlee, and Incardona have filed affidavits for regular agenda item 7.a. (Bryan Code of Ordinances Chapter 130 and 62) and will not participate in discussion and voting on that item.

5. CONSENT AGENDA.

a. Approval of minutes from the workshop and regular meetings on July 7, 2016.

Commissioner Krolczyk moved to approve the Consent Agenda. Commissioner Gonzalez seconded the motion, and the motion passed unanimously.

6. REQUESTS FOR APPROVAL OF REPLATS – A PUBLIC HEARING WILL BE HELD FOR EACH ITEM (Commission has final approval).

a. Replat RP16-15: Block 1 of Trail's End Subdivision

Proposed Replat of Lots 1 through 3 in Block 1 of Trail's End Subdivision and 0.244 acres of public street right-of-way for Rabbit Lane which has been requested to be abandoned, being a total of 1.041 acres of land located north of the intersection of Rabbit Lane and Nancy Street in Bryan, Brazos County, Texas. (R. Haynes)

Mr. Haynes presented the staff report (on file in the Development Service Department). Staff recommends approval of the request

The public hearing was opened.

No one came forward.

The public hearing was closed.

Commissioner Gonzalez moved to approve Replat RP16-15, based on staff's recommendations and review which considers adherence to all pertinent state and local requirements for replatting. Commissioner Krolczyk seconded the motion, and the motion passed unanimously.

7. PROPOSED AMENDMENTS TO THE TEXT OF BRYAN'S CODE OF ORDINANCES – A PUBLIC HEARING WILL BE HELD FOR EACH ITEM (Commission makes recommendation; City Council has final approval).

a. Bryan Code of Ordinances Chapter 130 and Chapter 62

A recommendation to the Bryan City Council regarding proposed amendments to the text of Bryan Code of Ordinances Chapter 130, Zoning, and Chapter 62, Land and Site Development, specifically BY AMENDING ARTICLE 1, "GENERAL", SECTION 130-3 "DEFINITIONS", REMOVING UNNECESSARY DEFINITIONS, REVISING DEFINITIONS OF "HOMEOCCUPATION," "MULTIFAMILY (RESIDENTIAL) DEVELOPMENT OR DWELLING," "OCCUPANCY" AND "SINGLE-FAMILY DWELLING UNIT" AND TO ADD DEFINITIONS OF "DETACHED DWELLING UNIT WITH NO MORE THAN TWO UNRELATED PERSONS," "DETACHED DWELLING UNITS WITH NO MORE THAN FOUR UNRELATED PERSONS," "GUEST," "MULTI-FAMILY DWELLING UNIT," "OCCUPANT," "RELATED PERSONS," "SECOND FAMILY," "SINGLE-FAMILY DETACHED DWELLING UNIT," "SINGLE-FAMILY ATTACHED DWELLING UNIT," "TENANT" AND "UNRELATED PERSONS" AND BY AMENDING ARTICLE 2, "ZONING DISTRICTS", SECTION 130-31 TO MAKE A GRAMMATICAL CORRECTION AND TO CLARIFY THE PERMITTING OF A SECOND FAMILY ON A TEMPORARY BASIS AND BY AMENDING ARTICLE 3 "OTHER REGULATIONS", SECTION 130-34, BY ADDING SUBSECTION (P) TO ESTABLISH PRIMA FACIE PROOF OF OCCUPANCY AND TO AMEND CHAPTER 62, "LAND AND SITE DEVELOPMENT", SECTION 62-1 "GENERAL DEFINITIONS" TO REVISE THE DEFINITION OF "MULTIFAMILY (RESIDENTIAL) DEVELOPMENT OR DWELLING." (S. Doland)

Ms. Doland presented the proposed text amendment to the Bryan Code of Ordinances Chapters 130 and 62.

Mr. Leeper informed Commission of errors in Ordinance drafted for meeting by legal team and clarification on those errors are in order to resolve any misunderstandings.

The public hearing was opened.

No one came forward.

The public hearing was closed.

Commissioner Bush moved to recommend approval of the proposal to amend the text of Bryan Code of Ordinances Chapter 130, Zoning, and Chapter 62, Land and Site Development. Commissioner Swearingen seconded the motion.

Commissioners commented:

- This ordinance has been successful in the past as is; however, some definitions need to be updated to stay in compliance with State and Federal law.

The motion passed by a vote of 5-0. Commissioners Gonzalez, Krolczyk, Conlee, and Incardona did not participate in discussion or voting due to a conflict of interest.

8. ADJOURN.

Without objection, Chairperson Gutierrez adjourned the meeting at 6:10p.m.

These minutes shall serve as the official findings of the City of Bryan Planning and Zoning Commission, as approved on this the 4th day of **August, 2016**.

Martin Zimmermann, AICP
Planning Manager and Secretary to the
Planning and Zoning Commission

Bobby Gutierrez, Chairperson
Planning and Zoning Commission
City of Bryan, Texas